

2 **SSB 5074** - S AMD - 003
3 By Senators Heavey and McCaslin

4 ADOPTED 1/28/00

5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** The definitions in this section apply
8 throughout this chapter unless the context clearly requires otherwise.

9 (1) "Authorized depository" means a mailbox, post office box, or
10 rural box used by postal customers to deposit outgoing mail or used by
11 the postal service to deliver incoming mail.

12 (2) "Letter box" means a receptacle that is used for a specific
13 address intended or used for the receipt or delivery of mail on a mail
14 route.

15 (3)(a) "Mail" means a letter, card, parcel, or other material that:

16 (i) Is sent or delivered by means of the postal service;

17 (ii) Has postage affixed by the postal customer or postal service;

18 and

19 (iii) Is placed in an authorized depository or mail receptacle.

20 (b) "Mail" includes articles contained in mail.

21 (4) "Mail receptacle" means a place used by the postal service or
22 postal customers to place outgoing mail or receive incoming mail.

23 (5) "Postage" means a postal service stamp, permit imprint, meter
24 strip, or other authorized indication of prepayment for service
25 provided by the postal service for collection and delivery of mail.

26 (6) "Postal service" means the United States postal service.

27 (7) The phrase "of another" does not include persons with whom the
28 defendant has a familial, parental, spousal, or other relationship that
29 would otherwise reasonably allow the defendant to take, dispose of, or
30 otherwise intercept the person's mail.

31 NEW SECTION. **Sec. 2.** (1) A person commits the crime of
32 obstruction of mails if the person intentionally obstructs or
33 unreasonably delays:

34 (a) The passage of the mail; or

35 (b) A carrier or conveyance carrying the mail.

1 (2) Obstruction of mails is a gross misdemeanor.

2 NEW SECTION. **Sec. 3.** (1) A person commits the crime of
3 destruction of letter boxes if the person knowingly and maliciously:

4 (a) Tears down or destroys a letter box belonging to another; or

5 (b) Breaks open a letter box belonging to another.

6 (2) Destruction of letter boxes is a gross misdemeanor.

7 NEW SECTION. **Sec. 4.** (1) A person commits the crime of
8 destruction of mail if the person knowingly and maliciously injures,
9 destroys, or defaces mail of another that has been deposited in an
10 authorized depository.

11 (2) Destruction of mail is a class C felony.

12 NEW SECTION. **Sec. 5.** (1) A person commits the crime of mail theft
13 or receipt of stolen mail if the person knowingly:

14 (a) Takes or, by fraud or deception, obtains mail of another from
15 a mail receptacle, authorized depository, or mail carrier;

16 (b) Secretes, embezzles, or destroys mail of another;

17 (c) Takes or, by fraud or deception, obtains mail of another that
18 has been left for collection on or adjacent to an authorized depository
19 or mail receptacle; or

20 (d) Buys, receives, conceals, or unlawfully possesses mail of
21 another knowing that the mail was taken, obtained, or embezzled as
22 described in this subsection.

23 (2) When a person has in his or her possession or control mail of
24 another addressed to two or more different addresses, and the addresses
25 are not the residence or business of the person, he or she is presumed
26 to know that the mail is stolen. This presumption may be rebutted by
27 evidence raising a reasonable inference that the possession of such
28 stolen mail was without knowledge that the mail was stolen.

29 NEW SECTION. **Sec. 6.** (1) A person is guilty of mail theft or
30 receipt of stolen mail in the first degree if he or she knowingly
31 possesses stolen mail addressed to five or more different addresses.

32 (2) Mail theft or receipt of stolen mail in the first degree is a
33 class B felony.

1 XII Assault 1 (RCW 9A.36.011)
 2 Assault of a Child 1 (RCW 9A.36.120)
 3 Malicious placement of an imitation device
 4 1 (RCW 70.74.272(1)(a))
 5 Rape 1 (RCW 9A.44.040)
 6 Rape of a Child 1 (RCW 9A.44.073)

7 XI Manslaughter 1 (RCW 9A.32.060)
 8 Rape 2 (RCW 9A.44.050)
 9 Rape of a Child 2 (RCW 9A.44.076)

10 X Child Molestation 1 (RCW 9A.44.083)
 11 Indecent Liberties (with forcible
 12 compulsion) (RCW 9A.44.100(1)(a))
 13 Kidnapping 1 (RCW 9A.40.020)
 14 Leading Organized Crime (RCW
 15 9A.82.060(1)(a))
 16 Malicious explosion 3 (RCW 70.74.280(3))
 17 Manufacture of methamphetamine (RCW
 18 69.50.401(a)(1)(ii))
 19 Over 18 and deliver heroin,
 20 methamphetamine, a narcotic from
 21 Schedule I or II, or flunitrazepam
 22 from Schedule IV to someone under 18
 23 (RCW 69.50.406)

24 IX Assault of a Child 2 (RCW 9A.36.130)
 25 Controlled Substance Homicide (RCW
 26 69.50.415)
 27 Explosive devices prohibited (RCW
 28 70.74.180)
 29 Homicide by Watercraft, by being under the
 30 influence of intoxicating liquor or
 31 any drug (RCW ((~~88.12.029~~))
 32 79A.60.050)
 33 Inciting Criminal Profiteering (RCW
 34 9A.82.060(1)(b))
 35 Malicious placement of an explosive 2 (RCW
 36 70.74.270(2))

1 Over 18 and deliver narcotic from Schedule
2 III, IV, or V or a nonnarcotic, except
3 flunitrazepam or methamphetamine, from
4 Schedule I-V to someone under 18 and 3
5 years junior (RCW 69.50.406)
6 Robbery 1 (RCW 9A.56.200)
7 Sexual Exploitation (RCW 9.68A.040)
8 Vehicular Homicide, by being under the
9 influence of intoxicating liquor or
10 any drug (RCW 46.61.520)

11 VIII Arson 1 (RCW 9A.48.020)
12 Deliver or possess with intent to deliver
13 m e t h a m p h e t a m i n e (R C W
14 69.50.401(a)(1)(ii))
15 Homicide by Watercraft, by the operation of
16 any vessel in a reckless manner (RCW
17 ((~~88.12.029~~)) 79A.60.050)
18 Manslaughter 2 (RCW 9A.32.070)
19 Manufacture, deliver, or possess with
20 intent to deliver amphetamine (RCW
21 69.50.401(a)(1)(ii))
22 Manufacture, deliver, or possess with
23 intent to deliver heroin or cocaine
24 (RCW 69.50.401(a)(1)(i))
25 Possession of ephedrine or pseudoephedrine
26 with intent to manufacture
27 methamphetamine (RCW 69.50.440)
28 Promoting Prostitution 1 (RCW 9A.88.070)
29 Selling for profit (controlled or
30 counterfeit) any controlled substance
31 (RCW 69.50.410)
32 Vehicular Homicide, by the operation of any
33 vehicle in a reckless manner (RCW
34 46.61.520)

1 VII Burglary 1 (RCW 9A.52.020)
2 Child Molestation 2 (RCW 9A.44.086)
3 Dealing in depictions of minor engaged in
4 sexually explicit conduct (RCW
5 9.68A.050)
6 Drive-by Shooting (RCW 9A.36.045)
7 Homicide by Watercraft, by disregard for
8 the safety of others (RCW
9 ((88.12.029)) 79A.60.050)
10 Indecent Liberties (without forcible
11 compulsion) (RCW 9A.44.100(1) (b) and
12 (c))
13 Introducing Contraband 1 (RCW 9A.76.140)
14 Involving a minor in drug dealing (RCW
15 69.50.401(f))
16 Malicious placement of an explosive 3 (RCW
17 70.74.270(3))
18 Sending, bringing into state depictions of
19 minor engaged in sexually explicit
20 conduct (RCW 9.68A.060)
21 Unlawful Possession of a Firearm in the
22 first degree (RCW 9.41.040(1)(a))
23 Use of a Machine Gun in Commission of a
24 Felony (RCW 9.41.225)
25 Vehicular Homicide, by disregard for the
26 safety of others (RCW 46.61.520)
27 VI Bail Jumping with Murder 1 (RCW
28 9A.76.170(2)(a))
29 Bribery (RCW 9A.68.010)
30 Incest 1 (RCW 9A.64.020(1))
31 Intimidating a Judge (RCW 9A.72.160)
32 Intimidating a Juror/Witness (RCW
33 9A.72.110, 9A.72.130)
34 Malicious placement of an imitation device
35 2 (RCW 70.74.272(1)(b))
36 Manufacture, deliver, or possess with
37 intent to deliver narcotics from
38 Schedule I or II (except heroin or

1 cocaine) or flunitrazepam from
2 Schedule IV (RCW 69.50.401(a)(1)(i))
3 Rape of a Child 3 (RCW 9A.44.079)
4 Theft of a Firearm (RCW 9A.56.300)

5 V Abandonment of dependent person 1 (RCW
6 9A.42.060)

7 Advancing money or property for
8 extortionate extension of credit (RCW
9 9A.82.030)

10 Bail Jumping with class A Felony (RCW
11 9A.76.170(2)(b))

12 Child Molestation 3 (RCW 9A.44.089)

13 Criminal Mistreatment 1 (RCW 9A.42.020)

14 Custodial Sexual Misconduct 1 (RCW
15 9A.44.160)

16 Delivery of imitation controlled substance
17 by person eighteen or over to person
18 under eighteen (RCW 69.52.030(2))

19 Extortion 1 (RCW 9A.56.120)

20 Extortionate Extension of Credit (RCW
21 9A.82.020)

22 Extortionate Means to Collect Extensions of
23 Credit (RCW 9A.82.040)

24 Incest 2 (RCW 9A.64.020(2))

25 Kidnapping 2 (RCW 9A.40.030)

26 On and after July 1, 2000: No-Contact
27 Order Violation: Domestic Violence
28 Pretrial Condition (RCW 10.99.040(4)
29 (b) and (c))

30 On and after July 1, 2000: No-Contact
31 Order Violation: Domestic Violence
32 Sentence Condition (RCW 10.99.050(2))

33 On and after July 1, 2000: Protection
34 Order Violation: Domestic Violence
35 Civil Action (RCW 26.50.110 (4) and
36 (5))

37 On and after July 1, 2000: Stalking (RCW
38 9A.46.110)

39 Perjury 1 (RCW 9A.72.020)

1 Persistent prison misbehavior (RCW
2 9.94.070)
3 Possession of a Stolen Firearm (RCW
4 9A.56.310)
5 Rape 3 (RCW 9A.44.060)
6 Rendering Criminal Assistance 1 (RCW
7 9A.76.070)
8 Sexual Misconduct with a Minor 1 (RCW
9 9A.44.093)
10 Sexually Violating Human Remains (RCW
11 9A.44.105)
12 IV Arson 2 (RCW 9A.48.030)
13 Assault 2 (RCW 9A.36.021)
14 Assault by Watercraft (RCW ((~~88.12.032~~))
15 79A.60.060)
16 Bribing a Witness/Bribe Received by Witness
17 (RCW 9A.72.090, 9A.72.100)
18 Commercial Bribery (RCW 9A.68.060)
19 Counterfeiting (RCW 9.16.035(4))
20 Escape 1 (RCW 9A.76.110)
21 Hit and Run--Injury Accident (RCW
22 46.52.020(4))
23 Hit and Run with Vessel--Injury Accident
24 (RCW ((~~88.12.155(3)~~)) 79A.060.200(3))
25 Indecent Exposure to Person Under Age
26 Fourteen (subsequent sex offense) (RCW
27 9A.88.010)
28 Influencing Outcome of Sporting Event (RCW
29 9A.82.070)
30 Knowingly Trafficking in Stolen Property
31 (RCW 9A.82.050(2))

1 Malicious Harassment (RCW 9A.36.080)
2 Manufacture, deliver, or possess with
3 intent to deliver narcotics from
4 Schedule III, IV, or V or nonnarcotics
5 from Schedule I-V (except marijuana,
6 amphetamine, methamphetamines, or
7 flunitrazepam) (RCW 69.50.401(a)(1)
8 (iii) through (v))
9 Residential Burglary (RCW 9A.52.025)
10 Robbery 2 (RCW 9A.56.210)
11 Theft of Livestock 1 (RCW 9A.56.080)
12 Threats to Bomb (RCW 9.61.160)
13 Use of Proceeds of Criminal Profiteering
14 (RCW 9A.82.080 (1) and (2))
15 Vehicular Assault (RCW 46.61.522)
16 Willful Failure to Return from Furlough
17 (RCW 72.66.060)

18 III Abandonment of dependent person 2 (RCW
19 9A.42.070)
20 Assault 3 (RCW 9A.36.031)
21 Assault of a Child 3 (RCW 9A.36.140)
22 Bail Jumping with class B or C Felony (RCW
23 9A.76.170(2)(c))
24 Burglary 2 (RCW 9A.52.030)
25 Communication with a Minor for Immoral
26 Purposes (RCW 9.68A.090)
27 Criminal Gang Intimidation (RCW 9A.46.120)
28 Criminal Mistreatment 2 (RCW 9A.42.030)
29 Custodial Assault (RCW 9A.36.100)
30 Delivery of a material in lieu of a
31 controlled substance (RCW
32 69.50.401(c))
33 Escape 2 (RCW 9A.76.120)
34 Extortion 2 (RCW 9A.56.130)
35 Harassment (RCW 9A.46.020)
36 Intimidating a Public Servant (RCW
37 9A.76.180)
38 Introducing Contraband 2 (RCW 9A.76.150)

1 Maintaining a Dwelling or Place for
2 Controlled Substances (RCW
3 69.50.402(a)(6))
4 Malicious Injury to Railroad Property (RCW
5 81.60.070)
6 Manufacture, deliver, or possess with
7 intent to deliver marijuana (RCW
8 69.50.401(a)(1)(iii))
9 Manufacture, distribute, or possess with
10 intent to distribute an imitation
11 controlled substance (RCW
12 69.52.030(1))
13 Patronizing a Juvenile Prostitute (RCW
14 9.68A.100)
15 Perjury 2 (RCW 9A.72.030)
16 Possession of Incendiary Device (RCW
17 9.40.120)
18 Possession of Machine Gun or Short-Barreled
19 Shotgun or Rifle (RCW 9.41.190)
20 Promoting Prostitution 2 (RCW 9A.88.080)
21 Recklessly Trafficking in Stolen Property
22 (RCW 9A.82.050(1))
23 Securities Act violation (RCW 21.20.400)
24 Tampering with a Witness (RCW 9A.72.120)
25 Telephone Harassment (subsequent conviction
26 or threat of death) (RCW 9.61.230)
27 Theft of Livestock 2 (RCW 9A.56.080)
28 Unlawful Imprisonment (RCW 9A.40.040)
29 Unlawful possession of firearm in the
30 second degree (RCW 9.41.040(1)(b))
31 Unlawful Use of Building for Drug Purposes
32 (RCW 69.53.010)
33 Willful Failure to Return from Work Release
34 (RCW 72.65.070)

1 II Computer Trespass 1 (RCW 9A.52.110)
2 Counterfeiting (RCW 9.16.035(3))
3 Create, deliver, or possess a counterfeit
4 controlled substance (RCW
5 69.50.401(b))
6 Escape from Community Custody (RCW
7 72.09.310)
8 Health Care False Claims (RCW 48.80.030)
9 Mail Theft or Receipt of Stolen Mail 1
10 (section 6 of this act)
11 Malicious Mischief 1 (RCW 9A.48.070)
12 Possession of controlled substance that is
13 either heroin or narcotics from
14 Schedule I or II or flunitrazepam from
15 Schedule IV (RCW 69.50.401(d))
16 Possession of phencyclidine (PCP) (RCW
17 69.50.401(d))
18 Possession of Stolen Property 1 (RCW
19 9A.56.150)
20 Theft 1 (RCW 9A.56.030)
21 Theft of Rental, Leased, or Lease-purchased
22 Property (valued at one thousand five
23 hundred dollars or more) (RCW
24 9A.56.096(4))
25 Trafficking in Insurance Claims (RCW
26 48.30A.015)
27 Unlawful Practice of Law (RCW 2.48.180)
28 Unlicensed Practice of a Profession or
29 Business (RCW 18.130.190(7))
30 I Attempting to Elude a Pursuing Police
31 Vehicle (RCW 46.61.024)
32 Destruction of Mail (section 4 of this act)
33 False Verification for Welfare (RCW
34 74.08.055)
35 Forged Prescription (RCW 69.41.020)
36 Forged Prescription for a Controlled
37 Substance (RCW 69.50.403)
38 Forgery (RCW 9A.60.020)

1	C	Malicious Mischief 2 (9A.48.080)	D
2	D	Malicious Mischief 3 (<\$50 is	
3		E class) (9A.48.090)	E
4	E	Tampering with Fire Alarm	
5		Apparatus (9.40.100)	E
6	A	Possession of Incendiary Device	
7		(9.40.120)	B+
8		Assault and Other Crimes	
9		Involving Physical Harm	
10	A	Assault 1 (9A.36.011)	B+
11	B+	Assault 2 (9A.36.021)	C+
12	C+	Assault 3 (9A.36.031)	D+
13	D+	Assault 4 (9A.36.041)	E
14	B+	Drive-By Shooting	
15		(9A.36.045)	C+
16	D+	Reckless Endangerment	
17		(9A.36.050)	E
18	C+	Promoting Suicide Attempt	
19		(9A.36.060)	D+
20	D+	Coercion (9A.36.070)	E
21	C+	Custodial Assault (9A.36.100)	D+
22		Burglary and Trespass	
23	B+	Burglary 1 (9A.52.020)	C+
24	B	Residential Burglary	
25		(9A.52.025)	C
26	B	Burglary 2 (9A.52.030)	C
27	D	Burglary Tools (Possession of)	
28		(9A.52.060)	E
29	D	Criminal Trespass 1 (9A.52.070)	E
30	E	Criminal Trespass 2 (9A.52.080)	E
31	C	Vehicle Prowling 1 (9A.52.095)	D
32	D	Vehicle Prowling 2 (9A.52.100)	E
33		Drugs	
34	E	Possession/Consumption of Alcohol	
35		(66.44.270)	E
36	C	Illegally Obtaining Legend Drug	
37		(69.41.020)	D

1	C+	Sale, Delivery, Possession of Legend	
2		Drug with Intent to Sell	
3		(69.41.030)	D+
4	E	Possession of Legend Drug	
5		(69.41.030)	E
6	B+	Violation of Uniform Controlled	
7		Substances Act - Narcotic,	
8		Methamphetamine, or Flunitrazepam	
9		Sale (69.50.401(a)(1) (i) or (ii))	B+
10	C	Violation of Uniform Controlled	
11		Substances Act - Nonnarcotic Sale	
12		(69.50.401(a)(1)(iii))	C
13	E	Possession of Marihuana <40 grams	
14		(69.50.401(e))	E
15	C	Fraudulently Obtaining Controlled	
16		Substance (69.50.403)	C
17	C+	Sale of Controlled Substance	
18		for Profit (69.50.410)	C+
19	E	Unlawful Inhalation (9.47A.020)	E
20	B	Violation of Uniform Controlled	
21		Substances Act - Narcotic,	
22		Methamphetamine, or Flunitrazepam	
23		Counterfeit Substances	
24		(69.50.401(b)(1) (i) or (ii))	B
25	C	Violation of Uniform Controlled	
26		Substances Act - Nonnarcotic	
27		Counterfeit Substances	
28		(69.50.401(b)(1) (iii), (iv), (v))	C
29	C	Violation of Uniform Controlled	
30		Substances Act - Possession of a	
31		Controlled Substance	
32		(69.50.401(d))	C
33	C	Violation of Uniform Controlled	
34		Substances Act - Possession of a	
35		Controlled Substance	
36		(69.50.401(c))	C
37		Firearms and Weapons	
38	B	Theft of Firearm (9A.56.300)	C

1	B	Possession of Stolen Firearm	
2		(9A.56.310)	C
3	E	Carrying Loaded Pistol Without	
4		Permit (9.41.050)	E
5	C	Possession of Firearms by Minor (<18)	
6		(9.41.040(1)(b)(iii))	C
7	D+	Possession of Dangerous Weapon	
8		(9.41.250)	E
9	D	Intimidating Another Person by use	
10		of Weapon (9.41.270)	E
11		Homicide	
12	A+	Murder 1 (9A.32.030)	A
13	A+	Murder 2 (9A.32.050)	B+
14	B+	Manslaughter 1 (9A.32.060)	C+
15	C+	Manslaughter 2 (9A.32.070)	D+
16	B+	Vehicular Homicide (46.61.520)	C+
17		Kidnapping	
18	A	Kidnap 1 (9A.40.020)	B+
19	B+	Kidnap 2 (9A.40.030)	C+
20	C+	Unlawful Imprisonment	
21		(9A.40.040)	D+
22		Obstructing Governmental Operation	
23	D	Obstructing a Law Enforcement	
24		Officer (9A.76.020)	E
25	E	Resisting Arrest (9A.76.040)	E
26	B	Introducing Contraband 1	
27		(9A.76.140)	C
28	C	Introducing Contraband 2	
29		(9A.76.150)	D
30	E	Introducing Contraband 3	
31		(9A.76.160)	E
32	B+	Intimidating a Public Servant	
33		(9A.76.180)	C+
34	B+	Intimidating a Witness	
35		(9A.72.110)	C+
36		Public Disturbance	
37	C+	Riot with Weapon (9A.84.010)	D+

1	D+	Riot Without Weapon	
2		(9A.84.010)	E
3	E	Failure to Disperse (9A.84.020)	E
4	E	Disorderly Conduct (9A.84.030)	E
5		Sex Crimes	
6	A	Rape 1 (9A.44.040)	B+
7	A-	Rape 2 (9A.44.050)	B+
8	C+	Rape 3 (9A.44.060)	D+
9	A-	Rape of a Child 1 (9A.44.073)	B+
10	B+	Rape of a Child 2 (9A.44.076)	C+
11	B	Incest 1 (9A.64.020(1))	C
12	C	Incest 2 (9A.64.020(2))	D
13	D+	Indecent Exposure	
14		(Victim <14) (9A.88.010)	E
15	E	Indecent Exposure	
16		(Victim 14 or over) (9A.88.010)	E
17	B+	Promoting Prostitution 1	
18		(9A.88.070)	C+
19	C+	Promoting Prostitution 2	
20		(9A.88.080)	D+
21	E	O & A (Prostitution) (9A.88.030)	E
22	B+	Indecent Liberties (9A.44.100)	C+
23	A-	Child Molestation 1 (9A.44.083)	B+
24	B	Child Molestation 2 (9A.44.086)	C+
25		Theft, Robbery, Extortion, and Forgery	
26	B	Theft 1 (9A.56.030)	C
27	C	Theft 2 (9A.56.040)	D
28	D	Theft 3 (9A.56.050)	E
29	B	Theft of Livestock (9A.56.080)	C
30	C	Forgery (9A.60.020)	D
31	A	Robbery 1 (9A.56.200)	B+
32	B+	Robbery 2 (9A.56.210)	C+
33	B+	Extortion 1 (9A.56.120)	C+
34	C+	Extortion 2 (9A.56.130)	D+
35	<u>C</u>	<u>Mail Theft or Receipt of Stolen</u>	
36		<u>Mail 1 (section 6 of this act)</u>	<u>D</u>
37	<u>D</u>	<u>Mail Theft or Receipt of Stolen</u>	
38		<u>Mail 2 (section 7 of this act)</u>	<u>E</u>

1	D	<u>Destruction of Mail (section 4</u>	
2		<u>of this act)</u>	<u>E</u>
3	B	Possession of Stolen Property 1	
4		(9A.56.150)	C
5	C	Possession of Stolen Property 2	
6		(9A.56.160)	D
7	D	Possession of Stolen Property 3	
8		(9A.56.170)	E
9	C	Taking Motor Vehicle Without	
10		Owner's Permission (9A.56.070)	D
11		Motor Vehicle Related Crimes	
12	E	Driving Without a License	
13		(46.20.005)	E
14	C	Hit and Run - Injury	
15		(46.52.020(4))	D
16	D	Hit and Run-Attended	
17		(46.52.020(5))	E
18	E	Hit and Run-Unattended	
19		(46.52.010)	E
20	C	Vehicular Assault (46.61.522)	D
21	C	Attempting to Elude Pursuing	
22		Police Vehicle (46.61.024)	D
23	E	Reckless Driving (46.61.500)	E
24	D	Driving While Under the Influence	
25		(46.61.502 and 46.61.504)	E
26		Other	
27	B	Bomb Threat (9.61.160)	C
28	C	Escape 1 (9A.76.110)	C
29	C	Escape 2 (9A.76.120)	C
30	D	Escape 3 (9A.76.130)	E
31	E	Obscene, Harassing, Etc.,	
32		Phone Calls (9.61.230)	E
33	A	Other Offense Equivalent to an	
34		Adult Class A Felony	B+
35	B	Other Offense Equivalent to an	
36		Adult Class B Felony	C
37	C	Other Offense Equivalent to an	
38		Adult Class C Felony	D

1	D	Other Offense Equivalent to an	
2		Adult Gross Misdemeanor	E
3	E	Other Offense Equivalent to an	
4		Adult Misdemeanor	E
5	V	Violation of Order of Restitution,	
6		Community Supervision, or	
7		Confinement {13.40.200}	V

8 Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses
9 and the standard range is established as follows:

10 1st escape or attempted escape during 12-month period - 4 weeks
11 confinement

12 2nd escape or attempted escape during 12-month period - 8 weeks
13 confinement

14 3rd and subsequent escape or attempted escape during 12-month
15 period - 12 weeks confinement

16 If the court finds that a respondent has violated terms of an order,
17 it may impose a penalty of up to 30 days of confinement.

18 **JUVENILE SENTENCING STANDARDS**

19 This schedule must be used for juvenile offenders. The court may
20 select sentencing option A, B, or C.

OPTION A
JUVENILE OFFENDER SENTENCING GRID
STANDARD RANGE

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Current Offense Category		0	1	2	3	4 or more
A+		180 WEEKS TO AGE 21 YEARS				
A		103 WEEKS TO 129 WEEKS				
A-		15-36 WEEKS EXCEPT 30-40 WEEKS FOR 15-17 YEAR OLDS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS	
Current Offense Category	B+	15-36 WEEKS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS	
	B	LOCAL SANCTIONS (LS)	15-36 WEEKS	52-65 WEEKS		
	C+	LS	15-36 WEEKS			
	C	LS	Local Sanctions: 0 to 30 Days	15-36 WEEKS		
	D+	LS	0 to 12 Months Community Supervision	0 to 150 Hours Community Service		
	D	LS	\$0 to \$500 Fine			
	E	LS				
		0	1	2	3	4 or more

36 NOTE: References in the grid to days or weeks mean periods of
37 confinement.
38 (1) The vertical axis of the grid is the current offense category.
39 The current offense category is determined by the offense of
40 adjudication.
41 (2) The horizontal axis of the grid is the number of prior
42 adjudications included in the juvenile's criminal history. Each prior
43 felony adjudication shall count as one point. Each prior violation,

1 misdemeanor, and gross misdemeanor adjudication shall count as 1/4
2 point. Fractional points shall be rounded down.

3 (3) The standard range disposition for each offense is determined
4 by the intersection of the column defined by the prior adjudications
5 and the row defined by the current offense category.

6 (4) RCW 13.40.180 applies if the offender is being sentenced for
7 more than one offense.

8 (5) A current offense that is a violation is equivalent to an
9 offense category of E. However, a disposition for a violation shall
10 not include confinement.

11 OR

12 OPTION B

13 CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE

14 If the juvenile offender is subject to a standard range disposition
15 of local sanctions or 15 to 36 weeks of confinement and has not
16 committed an A- or B+ offense, the court may impose a disposition under
17 RCW 13.40.160(~~(+5)~~) (4) and 13.40.165.

18 OR

19 OPTION C

20 MANIFEST INJUSTICE

21 If the court determines that a disposition under option A or B would
22 effectuate a manifest injustice, the court shall impose a disposition
23 outside the standard range under RCW 13.40.160(2)."

24 **SSB 5074** - S AMD - 003

25 By Senators Heavey and McCaslin

26 ADOPTED 1/28/00

27 On page 1, line 1 of the title, after "mail;" strike the remainder
28 of the title and insert "amending RCW 13.40.0357; reenacting and
29 amending RCW 9.94A.320; adding a new chapter to Title 9A RCW; and
30 prescribing penalties."

--- END ---